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JACKSON & CO., LLP
6114 LA SALLE AVENUE
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OAKLAND, CA 94611-2802

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In re Application of
Michael Russell, et al.
Application No. 10/626,351
Filed: July 24, 2003
Attorney Docket No. AL-06-03

OFFICE OF PETITIONS

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) or 37 C.F.R. § 10.40 filed October 10, 2006.

The request is **APPROVED**.

A review of the file record indicates that Jackson & CO, LLP: (1) does not have power of attorney in this patent application; and (2) has been employed or otherwise engaged in the proceedings in this patent application. In view of the present decision, Jackson & CO, LLP has/have been withdrawn from the present application and may not prepare or submit papers under 37 C.F.R. § 1.34, or correspond in any manner in this application unless appointed in an acceptable power of attorney under 37 C.F.R. § 1.32(b).

The request to change the correspondence of record is not acceptable as the requested correspondence address is not that of: (1) the first named signing inventor; or (2) the intervening assignee of the entire interest. All future communications from the Office will be directed to the first named signing inventor under 37 C.F.R. §3.71 at the first copied address below until otherwise properly notified by the applicant.

Applicant is reminded that DLA Piper US, LLP still retains power of attorney in this application until the applicant provides a new power of attorney.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a Statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (e.g., reel and frame number).

There is an outstanding Office action mailed September 6, 2006 that requires a reply from the applicant.

Telephone inquires concerning this decision should be directed to undersigned at 571-272-1642.



April M. Wise
Petitions Examiner
Office of Petitions

cc: MORGAN LEWIS & BOCKIUS, LLP
ATTN: JEFFRY S. MANN, PH.D, J.D.
ONE MARKET, SPEAR STREET TOWER
SAN FRANCISCO, CA 94105